



Course and Examination Fact Sheet: Spring Semester 2017

8,381: International Dispute Settlement

ECTS credits: 4

Overview examination/s

(binding regulations see below)

Central - Written examination (100%, 90 mins.)

Attached courses

Timetable -- Language -- Lecturer

[8,381,1.00 International Dispute Settlement](#) -- Englisch -- [Odendahl Kerstin](#)

Course information

Course prerequisites

Students must have a basic knowledge of public international law (by having attended the lecture "public international law", for example).

Course content

According to Art 2 No. 3 of the UN-Charter, States have the obligation to settle their disputes by peaceful means. They do no longer have the right to use force to pursue their interests. Art. 33 of the UN-Charter contains a list of the means that States may employ to settle their disputes. The course presents these various means of peaceful settlement of disputes. There are two broad categories of means available: diplomatic means which end with a non-legally binding proposal, and legal means which end with a legally binding decision. The course presents and discusses all these means by looking at their functioning as well as their positive and negative aspects. The course connects the transfer of knowledge with the analysis of several practical examples.

Course structure

The course is composed of four different parts:

- I. Diplomatic Dispute Settlement: Notification, Consultation, Negotiation, Good Offices, Mediation, Inquiry and Conciliation
- II. Legal Dispute Settlement: Arbitration
- III. Legal Dispute Settlement: The International Court of Justice
- IV. Legal Dispute Settlement: Other International Courts and Court-like Institutions



Course literature

J.G. Merrills, International Dispute Settlement, 5th edition, 2011

Additional course information

A „Reader“ will be available containing all the relevant legal texts. The slides presented during the course will be made available on StudyNet.

Examination information

Examination sub part/s

1. Examination sub part (1/1)

Examination time and form

Central - Written examination (100%, 90 mins.)

Remark

90 mins.

Examination-aid rule

Extended Closed Book for Examinations in Law

The use of aids is limited. Any additional aids permitted must be listed exhaustively in the section “Supplementary aids”. The following generally applies:

- For this examination, all pocket calculators of the Texas Instruments TI-30 series and mono- or bilingual dictionaries (no subject-specific dictionaries) without marginal notes are admissible. All other pocket calculators models as well as electronic dictionaries are inadmissible.
- In addition, any type of communication is inadmissible, as are all electronic devices that can be programmed and enable communication, such as notebooks, tablets, PDAs, mobiles and so on.
- Students themselves are exclusively responsible for the procurement of aids.
- Official statutory texts issued by the Confederation and the Canton of St. Gallen in the four national languages and the English translation provided by the Federal Chancellery are always admissible.
- Only the additional aids and texts of laws listed individually under "Supplementary aids" (exhaustive list) are admissible.
- All admissible documents may be combined in the language and number of copies that the student wishes, unless otherwise stated under Supplementary aids.
- Any aids and texts of laws that are not listed are expressly inadmissible and will be collected without substitution.

The following preparation of legal texts is allowed:

- References to other law articles, including all names of laws and article numbers as they also appear in the admissible law texts (i.e.: art. 62 et seq. CO/art. 164 para. 1a FC/art. 25. para. 2 lit. a No 8 VAT Act/ art. 158 FC combined with art. 4 ParLA/art. 29 II FC, etc.); these references must be written in one of the national languages and/or in English.
- Annotations (i.e. underlining, circling; special symbols such as arrows, asterisks, etc.) with any type of pen, including highlighters in different colours. However, no individual letters may be marked; any other notes and comments are prohibited.
- Index: self-adhesive page markers in the margin of individual texts of law; they must only bear the marginalia, titles,



articles of the relevant page (i.e.: art. 141 FC: Optional Referendum or Title 5: State Authorities or art. 5 FC).

- Print-outs and copies of legal texts that are admissible according to this fact sheet (i.e. all official statutory texts issued by the Confederation, or the admitted private collections incl. table of contents and indexes), must correspond exactly to the original; the original source must be clearly discernible.

Supplementary aids

Reader

Examination languages

Question language: English

Answer language: English

Examination content

The content of the examination are all the means of peaceful settlement of disputes. i.e. Diplomatic Dispute Settlement (Notification, Consultation, Negotiation, Good Offices, Mediation, Inquiry and Conciliation) as well as Legal Dispute Settlement (Arbitration, The International Court of Justice, Other International Courts and Court-like Institutions).

Examination relevant literature

1. J.G. Merrills, International Dispute Settlement, 5th edition, 2011
2. Slides presented during the course (to be found on StudyNet by the end of week 21)
3. Reader



Please note

We would like to point out to you that this fact sheet has absolute priority over other information such as StudyNet, faculty members' personal databases, information provided in lectures, etc.

When will the fact sheets become binding?

- Information about courses and examination time (central/decentral and grading form): from the start of the bidding process on 26 January 2017
- Information about decentral examinations (examination-aid rule, examination content, examination relevant literature): after the 4th semester week on 20 March 2017
- Information about central examinations (examination-aid rule, examination content, examination relevant literature): from the start of the enrolment period for the examinations on 10 April 2017

Please look at the fact sheet once more after these deadlines have expired.